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: GROUP ART UNIT: 1764

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: EXAMINER: DANG, T.

DECLARATION UNDER 37 C.F.R. § 1.132

SIR:

I, Dr. Thomas Heidemann, declare and state as follows:

1. I am employed at BASF AG in section GCC/A-M301. I am qualified to carry out the below-described experiments.

2. I understand from an Interview Summary, summarizing an interview held August 14, 2002, between the Examiner and representatives of the assignee, that the Examiner maintains that there is no data to support improvement of the lifetime of the catalyst in the specification, when using the process claimed in the above-identified application.

3. Accordingly, experiments were conducted under my supervision and/or control. The details of the experiments and the results are shown in the Experimental Report, attached herewith.

4. It is evident from the Experimental Report that catalyst deactivation according to the present invention, i.e., Examples 1 and 3, is much lower than according to Example 2, which represents a comparative process. In Examples 1 and 3, conversion was less than

30%, and changed only slightly over time, indicating minimal change in the usefulness of the catalyst, and thus longer catalyst life. (Comparative) Example 2, which employed a conversion greater than 30%, saw its conversion steadily decrease over time, thus indicating deterioration of the catalyst, meaning a shorter catalyst life.

5. The data in the Experimental Report supports disclosure in the specification of an increased catalyst life according to the present invention.

6. The undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

7. Further declarant saith not.


Signature

14. 11. 2002
Date